

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PHILLIP A. BROWN II, # 271566,

Petitioner,

v.

Case Number: 09-CV-14850
Honorable Patrick J. Duggan

CINDI CURTIN,

Respondent.

**ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION
WITH RESPECT TO THE COURT'S ORDER DENYING WITHOUT
PREJUDICE PETITIONER'S MOTION "TO ADD RESPONDENT"**

Petitioner filed a motion to amend the case caption to reflect his current custodian. In an order dated April 15, 2011, this Court denied the motion without prejudice because the case presently is stayed due to continuing state-court matters. (Doc. 61.) The Court informed Petitioner that, “[i]f the matter is subsequently re-opened, the Court will, at Petitioner’s renewed request, amend the case caption to reflect his then current custodian.” (*Id.*) On April 27, 2011, Petitioner filed a motion for reconsideration.

Eastern District of Michigan Local Rule 7.1(h) provides that a motion for reconsideration only should be granted if the movant demonstrates that the Court and the parties have been misled by a palpable defect and that a different disposition of the case must result from a correction of such a palpable defect. *Id.* A motion that merely presents the same issues already ruled upon by the Court shall not be granted. *Id.* Petitioner fails to demonstrate that this Court committed a palpable defect that, when corrected, will result in a different disposition of his case.

Accordingly,

IT IS ORDERED, that Petitioner's motion for reconsideration is **DENIED**.

Dated: June 1, 2011

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

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3225 John Conley Drive
Lapeer, MI 48446

AAG Raina I. Korbakis